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PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q86357

Tetsuro KIKUCHI, et al.

Appln. No.: 10/540,577

Confirmation No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: June 24, 2005 Examiner: Not Yet Assigned

For: CARBOSTYRIL DERIVATIVES AND SEROTONIN REUPTAKE INHIBITORS FOR

TREATMENT OF MOOD DISORDERS

## <u>UNDER 37 C.F.R. §§ 1.97 and 1.98</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003. A copy of the International Search Report is also being submitted. The documents listed on Sheet 1 of the Form PTO/SB/08 are the ISR documents. The documents on Sheets 2-5 are additional documents not listed on the ISR.

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/540,577

Attorney Docket No.: Q86357

The present Information Disclosure Statement is being filed: (1) No later than three

months from the application's filing date; (2) Before the mailing date of the first Office Action

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement

under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such

document constitutes prior art against the claims of the present application. Applicant does not

waive any right to take any action that would be appropriate to antedate or otherwise remove any

listed document as a competent reference against the claims of the present application.

Respectfully submitted,

Sylvester

Registration No. 32,765

SUGHRUE MION, PLLC

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 15, 2005

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	Substitute for Form 1449 A & B/PTO		Com	plete if Known
	10 F		Application Number	10/540,577
	) ************************************	CLOSURE	Confirmation Number	
/	STATEMENT BY API	PLICANT	Filing Date	June 24, 2005
	1500-11		First Named Inventor	Tetsuro KIKUCHI
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	1 1	of 5	Attorney Docket Number	Q86357

U.S. PATENT DOCUMENTS								
		Document Number						
Examiner Initials*	Cite No.1	Number	Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document			
C/S.R.G./	1	US 2002/0156067	Al	10-24-2002	Wong, et al.			

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Examiner	Cite	Fo	Foreign Patent Document		Publication Date	Name of Patentee or				
Initials*	No.1	N-1 Country	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation <sup>6</sup>			
/S.R.G./	2	WO	02/060423	A2	08-08-2002	Otsuka Pharmaceutical Co., Ltd.				
/S.R.G./	8	WO	2004/010932	A2	02-05-2004	Peter Migaly				

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Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>				
/S.R.G./	3	CINDY P. LAWLER, et al., Interactions of the Novel Antipsychotic Aripiprazole (OPC-14597) with Dopamine and Serotonin Receptor Subtypes, Neuropsychopharmacology, 1999, vol. 20, no. 6, pp. 612-627					
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	/Challay D. Graham/		01/22/2008	
Examiner Signature	/Snelley H. Granam/	Data Cancidared	01/23/2000	
Examiner Signature	,	Date Considered		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for Form 1449 A & B/PTO				Complete if Known		
				Application Number	10/540,577	
6	E INFORMATION DISC	LOS	URE	Confirmation Number		
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/SRG/	9	US 6,147,072		11-14-2000	Bymaster et al.			
	10	US 2003/0027817		02-06-2003	Tollefson			
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/S.R.G./	11	EP	958824		11-24-1999	Eli Lilly & Co.				

			NON PATENT LITERATURE DOCUMENTS				
1	miner ials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.				
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Examiner Signature	/Shelley R. Graham/	Date Considered	01/23/2008
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for Form 1449 A & B/PTO		Сотр	olete if Known
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	U.S. PATENT DOCUMENTS								
	Document Number								
Examiner Initials*	Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document				
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Examiner Signature Date Considered Date Considered	Ex	xaminer Signature	/Shelley R. Graham/	Date Considered 01/23/2008
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						MODIFIED PTO/SB/08 A & B (06-03
Substitute	for Form 144	9 A & B/PTO			Comp	olete if Known
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,	NON PATENT LITERATURE DOCUMENTS							
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/S.R.G./	27	ARMSTRONG, et al., Blood Clozapine Levels Elevated by Fluvoxamine: Potential for Side Effects and Lower Clozapine Dosage, Journal of Clinical Psychiatry, 1997, vol. 58, no. 11, p. 499						
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			U.S.	PATENT DOCU	JMENTS
Examiner Initials*		Document N	umber		
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	34	SHELTON, et al., A Novel Augmentation Strategy for Treating Resistant Major Depression, American Journal of Psychiatry, 2001, vol. 158, no. 1, pp. 131-134	
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Examiner Signature	 Date Considered	

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